
**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHELSEY BARRICK	:	CIVIL ACTION LAW
Plaintiff	:	
	:	
v.	:	
	:	JURY TRIAL DEMANDED
CUMBERLAND COUNTY	:	
DEPARTMENT OF PUBLIC	:	
SAFETY AND COUNTY OF	:	
CUMBERLAND	:	
Defendants	:	

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NOTICE OF REMOVAL

**TO: CLERK OF COURT OF THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Defendants, by and through their attorneys, William J. Ferren & Associates, hereby files the within Notice of Removal from the Court of Common Pleas of Cumberland County, Pennsylvania, to the United States District Court for the Middle District of Pennsylvania pursuant to 28 U.S.C. §1441(c), Removal based on federal question, and avers as follows:

1. On or about November 16, 2022, Plaintiff Chelsey Barrick, filed a Complaint against Defendants, Cumberland County Department of Public Safety and County of Cumberland, in the Court of Common Pleas of Cumberland County. A true and correct copy of Plaintiff's Complaint filed in the Court of Common

Pleas of Cumberland County, under No. 08912 of 2022 is attached hereto as Exhibit “A”.

2. In her Complaint, Plaintiff has brought claims of Retaliation for the exercise of rights under the FMLA, 29 U.S.C. §2615(a) and Interference with FMLA rights in violation of 29 U.S.C. §2615(a)(1). (See Exhibit “A”).

3. Defendants were served with Plaintiff’s Complaint on or about November 30, 2022.

4. This Notice of Removal is filed timely pursuant to 28 U.S.C. §1446(b) within thirty (30) days of service on Defendants, and the Complaint contains claims for a violation of federal law, thereby allowing Defendants to remove this action pursuant to 28 U.S.C. §1331 on the basis of Federal question jurisdiction.

5. Pursuant to the FMLA, Plaintiff can sue for alleged lost wages, liquidated damages, and other damages, including attorney’s fees. 29 U.S.C. §§ 2617(a)(1)(A) and 2617(a)(3).

6. Plaintiff’s damages alleged therefore exceeds the jurisdictional amount for removal to this Honorable Court.

7. The Complaint filed by Plaintiff is a civil action over which the United States District Court has original jurisdiction, pursuant to 28 U.S.C. §1331; and therefore, this action may be removed to the United States District Court for

the Middle District of Pennsylvania pursuant to 28 U.S.C. §1441(a) and 28 U.S.C. §1441(b).

WHEREFORE, Defendants Cumberland County Department of Public Safety and County of Cumberland respectfully request that this case proceed in its entirety in the United States District Court for the Middle District of Pennsylvania.

WILLIAM J. FERREN & ASSOCIATES

BY: /s/Paola Tripodi Kaczynski, Esquire
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Date: 12/19/22